

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

5 | KASEY D. ALVES,

Plaintiff,

VS.

CAUSE NO.: 1:06cv912 LG-JMR

HARRISON COUNTY MISSISSIPPI, BY AND
THROUGH THE BOARD OF SUPERVISORS;
HARRISON COUNTY SHERIFF'S DEPARTMENT;
SHERIFF GEORGE PAYNE, JR.; AND,
HEALTH ASSURANCE, LLC.:,

11 Defendants.

DEPOSITION

OF

WILLIAM MARTIN

16 Taken on behalf of the Plaintiff

17 1:41 p.m., Wednesday, March 12th, 2008

before

Lisa H. Brown, CSR #1166

23 COAST-WIDE REPORTERS
24 Court Reporters
25 Post Office Box 95
Biloxi, Mississippi 39533-0095
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1 A. Not until after the fact.

2 Q. That would've been after he was appointed
3 warden at the jail?

4 A. Yes.

5 Q. Look at the bottom of page three.

6 A. Okay.

7 Q. In the last paragraph it says, "Due to
8 inadequate staffing levels, poorly trained staff,
9 limited supervision, crowded conditions, failure to
10 follow established policies and procedures, inadequate
11 classification options and intake/release process that
12 is inefficient and ineffective, the Harrison County
13 Detention Center is neither safe nor is it secure."

14 Were you aware of that finding?

15 A. Not from this particular report, but I was
16 aware of those conditions.

17 Q. You didn't need this report to tell you that?

18 A. No. Mr. Cabana was basically telling us
19 that every time he saw us, and we were taking actions
20 to try and correct that.

21 Q. Well, were you aware of these conditions
22 before Mr. Cabana was telling you about them?

23 A. No. I was aware -- let me put it like
24 this. I was aware of the staffing issues, okay. Let
25 me see what else this paragraph says. I was aware of

1 out, ain't it?

2 Q. Okay. Did you ever have a chance to talk to
3 Sheriff Payne about his concerns about violence in the
4 booking area?

5 A. Prior to this or before this report?

6 Q. At any time.

7 A. Yeah, prior to this. I haven't talked to
8 sheriff after this report. I haven't talked to the
9 sheriff -- I can't even remember the last time I
10 talked to sheriff. I know I talked to the sheriff
11 about my concerns about violence in the jail prior to
12 this report over a number of years.

13 Q. What were your concerns about it?

14 A. Well, periodically the Board received
15 written complaints from inmates that they were being
16 beaten. We turned those complaints over to the
17 District Attorney's office for investigation.

18 Q. You talked to the sheriff about your
19 concerns?

20 A. Yeah.

21 Q. What was his response to your concerns?

22 A. That they were working on it. That was the
23 purpose of -- one of the purposes of the Harrison
24 County Criminal Justice Coordinating Council was to
25 try and -- everything was related back to